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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/694,896

10/29/2003

Jang-Kcun Oh

116511-00116

4509

27557

7590

09/20/2007

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EXAMINER

SNIDER, THERESA T

ART UNIT

PAPER NUMBER

1744

MAIL DATE

DELIVERY MODE

09/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/694,896

Applicant(s)

OH, JANG-KEUN

Examiner

Theresa T. Snider

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 6-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3 and 6-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1, 3 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Song et al.(6,195,835) in view of Wolf(3,557,399) and JP9-164100.

Song et al. discloses a similar vacuum cleaner however fails to disclose a brush or double bent handle.

Song et al. discloses a nozzle capable of inhaling air containing external dust (fig. 2, #4).

Wolf discloses a brush capable of inhaling air containing external dust (fig. 2, #40). It would have been obvious to one of ordinary skill in the art to provide the brush of Wolf in Song et al. to allow for agitation of a surface to be cleaned to allow for the most effective removal of dirt.

Song et al. discloses a cleaner body for supplying suction force to the brush (fig. 2, #1).

Song et al. discloses a handle tube interposed between the brush and the cleaner body, wherein a part of the handle tube is formed as a handle (fig. 2, #3,8). JP9-164100 discloses a vacuum cleaner with a handle tube interposed between the brush and the cleaner body, wherein a part of the handle tube is formed as a handle that is double bent (fig. 7, #22,10). It would have been obvious to one of ordinary skill in the art to replace the handle of Song et al. with that of JP9-164100, as the structures are disclosed in figures 6-7 of JP9-164100 to be equivalents of each other, to allow for the most effective gripping of the handle tube.

Song et al. discloses a cyclone dust collector installed proximate the handle (fig. 2, #10).

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With respect to claim 3, Wolf discloses a knurled part formed in an external surface of a handle (col. 6, lines 27-35). It would have been obvious to one of ordinary skill in the art to provide the knurled part of Wolf in Song et al. in view of JP9-164100 to prevent an operator's hand from accidentally slipping off of the handle during operation of the cleaner.

With respect to claim 6, Song et al. discloses the dust collector discloses a cyclone body and soil collection receptacle (fig. 3, #20,30).

With respect to claim 7, Song et al. discloses the cyclone body including a suction port, a discharge port and a grill joined to the discharge port (fig. 5, area near #11, area near #12a,50).

Response to Arguments

3. Applicant's arguments filed 7/18/2007 have been fully considered but they are not persuasive. Applicant argues Wolf and JP9-164100 fail to disclose cyclone dust collectors. Examiner agrees with this statement however it is noted the two references were used as secondary references to provide elements that are not 'separator/filtering device dependent'. Applicant argues Song et al. fails to disclose the cyclone dust collector installed proximate the double bent handle portion. This argument is not persuasive because Song et al. discloses a cyclone dust collector installed proximate a gripping part of a handle tube (fig. 2, #10,8). JP9-164100 discloses it is known in the art to substitute a gripping part similar to that of Song et al. with a double-bent gripping part (fig. 6, #10 replaced with fig. 7, #10). Once the gripping part of Song et al. is replaced with the double-bent part of JP9-164100 the cyclone dust collector would be proximate the double-bent portion, as stated in the above rejection.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

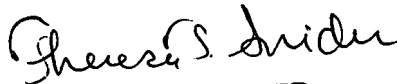
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Friday (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


THERESA T. SNIDER
PRIMARY EXAMINER

Theresa T. Snider
Primary Examiner
Art Unit 1744

9/4/07